

March 27, 2014

The Marion County Council held its regularly scheduled meeting, on Thursday, March 27, 2014 at 7:00 P.M., in the City Council Chambers City Hall, Marion, South Carolina. Members present were Buddy Collins, Chairman; Elista H. Smith, Vice Chairperson; Simon Jenkins, Thomas E. Shaw, and Milton W. Troy, II. Also present were G. Timothy Harper, Administrator; Charles L. McLain III, County Attorney; Sabrina Davis, Clerk to Council. A representative from the Star & Enterprise was present and duly notified.

Chairman Collins called the meeting to order and asked Councilman Simon Jenkins to lead the Invocation, after which he welcomed visitors and read the Freedom of Information Announcement.

Vice Chairperson Smith stated for the record that she had a written proxy from Councilman John Q. Atkinson, Jr. voting in favor of all matters.

Councilman Simon Jenkins stated for the record that he had a written proxy from Councilman Allen W. Floyd voting in favor of all matters.

Motion was made by Mr. Jenkins, seconded by Mr. Shaw, and carried unanimously, to approve as written, the minutes of the regular meeting held on March 11, 2014.

Motion was made by Mr. Shaw, seconded by Mr. Jenkins, and carried unanimously, to recess the regular meeting and open public hearing for Ordinance #2014-01.

The County Attorney opened the floor to the public for questions.

Mr. Alan Ammons asked if the ordinance would affect the volunteer rescue squad's non-profit ambulance services. The County Attorney stated that the ordinance does not have any affect. Mr. Joey Price who is the EMS Director stated that there is a clause in the ordinance that exempts the rescue squad's.

Motion was made by Vice Chairperson Smith, seconded by Mr. Jenkins, and carried unanimously, to close the public hearing and reconvene the regular meeting.

The County Attorney stated that item B. second reading for the ordinance listed on the agenda as follows were not ready: A. Third Reading of Ordinance #2014-01 An Ordinance Establishing the Exclusive Means of Providing Emergency Ambulance Services within Marion County and Establishing the Terms and Conditions Upon which Non-Exclusive Franchises May be Granted to Private Ambulance Services Operating in Marion County, and Establishing the Procedures for Applying for such Franchises, the Payment of Franchise Fees, the Period of Operation Granted by such Franchise, Renewal Procedures, and the Standards which will Apply to All Private Providers of Non-Emergency Patient Transport in Marion County, and the Standards Which Will Apply to all Private Providers that will perform Emergency Transfers of Patients from Marion County Medical Center in Marion County, and Establishing Appeals Procedures for the Denial or a Franchise Application, Disciplining a Franchise Denial of the Renewal of a Franchise, or the Termination or Restriction of Franchise Rights; Establishing Both Criminal and Civil Penalties for the Violation of this Ordinance, and Providing for the Right of the County Council to Seek Injunctive Relief to Prevent or Restrain Violations of this Ordinance, and Other Related Matters and Establishing this Franchise Agreement as a "Closed Franchise Agreement" By Limiting the number of Franchises Operating in Marion County. B. Second Reading of Ordinance #2014-03 An Ordinance to Authorize the Lease of the Marion County Tax Parcel Number 121-00-00-033-000, more commonly referred to as the Old Marion County Landfill at Ariel Crossroads to Benjie Andrew for the sole purpose of cattle grazing under the terms of the lease attached hereto and made a part hereof. C. First Reading of Ordinance #2014-04 To Provide for the Issuance and Sale of a not Exceeding Three Hundred Eighty-Five Thousand Dollar (\$385,000) General Obligation Bond of Marion County, South Carolina, To Prescribe the Purposes for Which the Proceeds of Said Bond Shall be Expended, To Provide for the Payment of Said Bond, and Other Maters Relating Thereto.

The County Attorney told Council that item A. on the agenda; Third Reading of Ordinance #2014-01 An Ordinance Establishing the Exclusive Means of Providing Emergency Ambulance Services within Marion County and Establishing the Terms and Conditions Upon which Non-Exclusive Franchises May be Granted to Private Ambulance Services Operating in Marion County, and Establishing the Procedures for Applying for such Franchises, the Payment of Franchise Fees, the Period of Operation Granted by such Franchise, Renewal Procedures, and the Standards which will Apply to All Private Providers of Non-Emergency Patient Transport in Marion County, and the Standards Which Will Apply to all Private Providers that will

perform Emergency Transfers of Patients from Marion County Medical Center in Marion County, and Establishing Appeals Procedures for the Denial or a Franchise Application, Disciplining a Franchise Denial of the Renewal of a Franchise, or the Termination or Restriction of Franchise Rights; Establishing Both Criminal and Civil Penalties for the Violation of this Ordinance, and Providing for the Right of the County Council to Seek Injunctive Relief to Prevent or Restrain Violations of this Ordinance, and Other Related Matters and Establishing this Franchise Agreement as a "Closed Franchise Agreement" By Limiting the number of Franchises Operating in Marion County was ready: Motion was made by Mr. Troy, seconded by Mr. Shaw, and carried unanimously, to approve third reading of Ordinance #2014-01.

The County Attorney told Council that item C. on the agenda; First Reading of Ordinance #2014-04 To Provide for the Issuance and Sale of a not Exceeding Three Hundred Eighty-Five Thousand Dollar (\$385,000) General Obligation Bond of Marion County, South Carolina, To Prescribe the Purposes for Which the Proceeds of Said Bond Shall be Expended, To Provide for the Payment of Said Bond, and Other Matters Relating Thereto was ready: The County Attorney introduced the title of the ordinance and stated that this constitutes first reading of Ordinance #2014-04.

There were no reports given by Committee #1 or Committee #2.

Mr. Wyman Watson, who is the Fire Chief for the Britton's Neck/Gresham Volunteer Fire Department, appeared before Council requesting financial assistance. Mr. Watson told Council that the fire department would like to purchase needed equipment and insurance and also to train the current and future firemen. He stated that they have been approved for a third fire station on Hwy 9 in Gresham through the Capital Sales Tax. Mr. Watson stated that the fire department operates there entire department on \$49,000. Mr. Watson stated that they are requesting \$25,000 for each additional station. He stated that the total amount needed is \$99,000 to operate the 3 stations. Mr. Troy asked Mr. Watson about a unified fire district in Marion County. Mr. Watson replied that Marion County could not afford it because the area is too large. He also stated that a station would have to be placed within ten miles countywide. After much discussion by members of Council, Chairman Collins recommended that the fire chief's joined together and decide on what the fire department's needs are to function. Chairman Collins thanked Mr. Watson for his presentation.

Ms. Libby Kester appeared before Council to voice her concerns regarding the wastewater treatment problems in the Locus Tree Community. Ms. Kester told Council that in December 2013 they found out about a serious non-compliance orders DHEC had issued against the wastewater treatment plant. She stated that the property is owned by the estate of Dozier Munn. The wastewater treatment plant has not been kept up to DHEC codes and has not been in compliance for several years. Ms. Kester stated that they have been informed that the water and electric would be disconnected

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if these non-compliances were not brought up to code. The County Attorney stated he would like to know what the title search reveals. He also stated that the wastewater treatment plant is a privately owned system. Mr. McLain stated that this is a DHEC issue the County has no control regarding this said matter. After a brief discussion my members of Council, Mr. Shaw advised Ms. Kester to contact Grand Strand Water & Sewer Authority, and explain what there needs are in the Loctus Tree Community. Chairman Collins thanked Ms. Kester for her presentation.

The County Attorney had nothing to report.

The Administrator had nothing new to report in reference to the New Administration Building.

The Administrator updated Council on the Capital Sales Tax. Mr. Harper told Council that the projects are moving forward. The courthouse should be completed in a few weeks. He stated the Mullins, Nichols and Sellers projects have begun. Mr. Harper stated that the next projects are the industrial park the Tollison Center, and the Britton's Neck Fire Department.

The Administrator told Council that the Joint/County Municipal Meeting will be held on Tuesday, April 29th at 6:00 p.m. at Woodhaven.

The Administrator reported to Council that the Request for Proposals (RFP) in reference to the animal shelter has been advertised.

The Administrator updated Council on the storm debris. Mr. Harper stated that the debris collection is still in progress.

The Administrator provided Council a bid tabulation sheet in reference to the CDBG Southwest Mullins Drainage Project. Mr. Harper told Council that there were three bids. They are as follows: ARC, Inc. \$583,955.00, D&L Sitework, Inc. \$533,310.50 and Paving Services, Inc. \$452,530.00. It was the recommendation of the Administrator to award the bid to Paving Services Inc in the amount of \$452,530.00. Motion was made by Mr. Troy, seconded by Mr. Shaw, and carried unanimously, to award the bid to Paving Services, Inc.

The Administrator reported to Council that EDA is requiring a feasibility study in reference to the Agriporium Project. Mr. Harper told Council that there were two bids. They are as follows: Clemson University \$25,000 and Francis Marion University \$5,000. Mr. Harper asked Council's approval to contract with Francis Marion University in reference to a feasibility study for the EDA grant. Motion was made by Mr. Troy, seconded by Ms. Shaw, and carried unanimously.

Mr. Troy wanted to know the status in reference to sewer for the unincorporated areas. The County Attorney told Mr. Troy that there has been no activity regarding this said matter. Mr. Troy also wanted to know what's stopping the County from negotiating with Grand Strand Water. He stated that something need to be done and its time to take action. After a lengthy discussion by members of Council, Chairman Collins asked Mr. Harper to contact Grand Strand to discuss this said matter further.

Mr. Troy recognized Mrs. Elizabeth Hammond the Chairperson of the Beautification Committee. He stated that the Marion Countywide Great American Cleanup will be held on April 12th thru 17th.

Mr. Shaw asked Mr. Harper if funds were available to cleanout Catfish & Smith Swamp. Mr. Harper stated that Mr. Brandon Ellis has contacted the State and USDA regarding funds for this project. Mr. Shaw also mentioned the beaver problem. Mr. Harper stated that several years ago a proposal was submitted to Council in reference to beaver control. He stated that the estimated cost was around \$55,000.

Motion was made by Mr. Jenkins, seconded by Mr. Shaw, and carried unanimously, to go into executive session for an economic development matter.

Motion was made by Vice Chairperson Smith, seconded by Mr. Shaw, and carried unanimously, to close executive session and reopen the regular scheduled meeting. Chairman Collins stated that no action was taken during executive session called for an economic development matter.

The County Attorney told Council that Ordinance 2014-01 contained provisions regarding criminal penalties. He stated that a County cannot penalize conduct unless they are state authority to do so. Mr. McLain requested to remove these items from the ordinance. Mr. Troy amended his motion to include the approval of said items. Mr. Shaw amended his second. The motion carried unanimously.

The Administrator reported to Council that two road plow operators have been hired. Mr. Harper told Council that the new HR Director started work on the 24th.

The Administrator mentioned to Council that Ms. Latoria Smith has resigned from Environmental Services. Mr. Harper passed out the department's monthly reports, and a copy of Economic Development Strategic Plan.

There being no further business to discuss, motion was made by Vice Chairperson, seconded by Mr. Shaw, to adjourn the meeting at approximately 8:45 P.M.

Buddy Collins, Chairman
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(absent)

Elista H. Smith Vice Chairperson

(absent)

John Q. Atkinson, Jr.

Allen W. Floyd

Simon Jenkins, Chaplain

Thomas E. Shaw

Milton W. Troy, II

G. Timothy Harper, Administrator

Charles L. McLain, III County Attorney

Sabrina Davis, Clerk to Council